

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RICK SMITH,  
Plaintiff,

v.

SAN JOAQUIN COUNTY SHERIFF'S  
DEPARTMENT,  
Defendants.

Case No. [18-cv-03677-KAW](#) (PR)

**ORDER OF TRANSFER**

Plaintiff Rick Smith, a state prisoner incarcerated at the San Joaquin County Jail in French Camp, California, has filed a civil rights action under 42 U.S.C. § 1983 asserting constitutional violations against employees of the San Joaquin County Sheriff's Department.

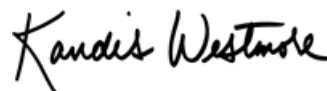
When jurisdiction is not founded solely on diversity, venue is proper in the district in which (1) any defendant resides, if all of the defendants reside in the same State, (2) the district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, or (3) a judicial district in which any defendant may be found, if there is no district in which the action may otherwise be brought. *See* 28 U.S.C. § 1391(b).

The acts complained of in this complaint occurred in San Joaquin County, which is in the Eastern District of California. Venue, therefore, properly lies in the Eastern District of California. *See* 28 U.S.C. § 1391(b).

Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California. The Clerk of the Court shall terminate any pending motions and transfer the case forthwith.

IT IS SO ORDERED.

Dated: July 18, 2018



KANDIS A. WESTMORE  
UNITED STATES MAGISTRATE JUDGE